

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

APPEAL FROM ORDER No 287 of 1988

For Approval and Signature:

Hon'ble MR.JUSTICE M.S.SHAH Sd/-

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1. Whether Reporters of Local Papers may be allowed to see the judgements? No
2. To be referred to the Reporter or not? No

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3. Whether Their Lordships wish to see the fair copy of the judgement? No
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? No
5. Whether it is to be circulated to the Civil Judge? No

RANCHOOD JIVRAJ PATEL

Versus

NAVNIRMAN KELVANI MANDAL TRUST

Appearance:

MR SURESH M SHAH for Petitioners
GOVERNMENT PLEADER for Respondent No. 1
MR SI NANAVATI for Respondent No. 2

CORAM : MR.JUSTICE M.S.SHAH

Date of decision: 17/09/97

ORAL JUDGEMENT

This appeal is directed against an interlocutory order passed by the trial Court rejecting the appellants -plaintiffs' application for appointment of a Receiver for taking over possession and for management of the

properties of the respondent - trust. That application was filed by the appellants - plaintiffs before the trial Court in 1987 and the same was rejected.

2. The present appeal was admitted in 1989 but unfortunately it has not been heard so far. In view of the long passage of time, Mr S.M. Shah, learned counsel for the appellants - plaintiffs has fairly stated that no useful purpose would be served by passing any order at this point of time and he does not press this appeal without prejudice to the rights and contentions of the appellants - plaintiffs in the suit.

3. The appeal is accordingly disposed as not pressed. The trial Court shall hear and decide the suit as expeditiously as possible and without being influenced by the fact that this Court has not granted reliefs as prayed for in the appeal.
